

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

ANTHONY TUCKER

PLAINTIFF

v.

NO. 1:05CV292-D-D

CLAY COUNTY JAIL, ET AL.

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated October 16, 2006, and the October 30, 2006, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated October 16, 2006, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the instant case is hereby **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted, counting as a "strike" under 28 U.S.C. §§ 1915 (e)(2)(B)(i) and 1915(g).
3. That, in light of this holding, all motions currently pending in this case are hereby **DISMISSED**.
4. That this case is **CLOSED**.

THIS, the 17th day of November, 2006.

/s/ Glen H. Davidson
CHIEF JUDGE